

Paul-Kenneth: Cromar, ID #567164
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[Pro Se] *sui juris*

FILED US District Court-UT
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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA, Plaintiff, vs. PAUL KENNETH CROMAR, Defendant <i>in error</i>	Case No. 2:23-cr-00159-HCN-DBP DEFENDANT'S MOTION TO CONTINUE HEARING ON MOTION TO DISMISS WITH NOTICE TO PROVIDE EVIDENCE District Judge Howard C. Nielson, Jr. Magistrate Judge Dustin B. Pead
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**NOTICE OF EVIDENTIARY HEARING REQUIRED
WITH MOTION TO DISMISS HEARING**

Evidentiary hearing. (1952) 1. A hearing at which evidence is presented, as opposed to a hearing at which only legal argument is presented. 2. See ADMINISTRATIVE PROCEEDING. (HEARING, Black's Law Dictionary (11th ed. 2019)) (Emphasis added)

Comes now Defendant *in error* Paul-Kenneth: Cromar "Mr. Cromar" and hereby brings forth to this court Defendant's Motion to Continue Hearing On Motion to Dismiss With Notice to Provide Evidence.

Mr. Cromar respectfully requests a continuance for the upcoming hearing on the Motion to Dismiss scheduled for February 8, 2024, 1:00 to 14 days (February 22 at 1:00) or soon thereafter

as the clerk has time available due to time needed to subpoena at least 5 key witnesses including but not limited to:

1. U.S. Attorney **Mark Woolf** (who signed the indictment) to be prepared to (1) Present to this hearing documentation or answers to satisfy the request that he provide the same facts that he presented to the Grand Jury that resulted in the votes for the three Counts of the indictment. (2) Show the order from the court that the Grand Jury be summoned (*see Fed. R. Crim. P. Rule 6(a)(1)*). (3) Show that he followed Page 12 of the Grand Jury Handbook:

"If an indictment is found, the grand jury, or its foreperson or deputy foreperson, will report it to the judge or a magistrate judge in open court."

(Federal Grand Jury Handbook, at Page 12

<https://www.uscourts.gov/sites/default/files/grand-handbook.pdf>)

[Emphasis added]

- (4) Provide the facts that establish that Mr. Cromar was in a federal territory and not WITHIN the sovereign state of Utah at the time of the alleged crime.

2. IRS Agent **Gary Chapman** (who declared that Nathan Eddington was the winning bidder of the Cedar Hills home at the September 10, 2019 auction) and testify to the court that in the event that the auction did not produce a legal sale, **as is the case with the Cromar home**, the property shall be released back to the owner.

(D) "If, at the sale, the property is not declared sold under subparagraph (B) or (C), the property shall be released to the owner thereof and the expense of the levy and sale shall be added to the amount of tax for the collection of which the levy was made. Any property released under this subparagraph shall remain subject to any lien imposed by subchapter C." (See 26 U.S.C. § 6335) (Bold)

"A contract will also be conditionally established with the recognized back-up bidder for execution if the high bidder defaults for any reason or is rejected by the Government." (See treasury.gov/auctions Section 8:6)

[Emphasis added]

3. IRS Agent **Andrea Ventura** (who claimed that Brett Belliston was the winning bidder of the Cedar Hills home at the September 10, 2019 auction) and to testify to the court how

Mr. Brett Belliston became the winning bidder when IRS Agent and auction officiator Gary Chapman declared to the court under penalty of perjury that Nathan Eddington was the winning bidder¹.

4. **Brett Belliston** of Copper Birch Properties, LLC (who claimed he was there at the auction and was the winning bidder of the Cedar Hills home) and testify how he qualified as the legally winning bidder when he was not there, and was not registered.

"Persons wishing to participate in the bidding process of the sale are required to obtain, fill out, and deliver a bidder registration form during the registration process for each sale." (See Treasury.gov/auctions Section 3 "Registration of Bidders.")

5. Legal research assistant **Raland Brunson**, who will provide a fact based report on his research regarding the five acts of crime that the indictment is accusing Mr. Cromar of committing. (1) Submitting false documents to the IRS. (2) Attempting to obstruct the IRS's seizure and sale of the Cedar Hills home. (3) Making baseless claims. (4) Filing frivolous lawsuits against IRS employees. (5) Did forcibly rescue and cause to be rescued real property located in Cedar Hills, UT after it had been seized by the IRS.

Therefore, for good cause provided herein, Mr. Cromar respectfully moves the court to Continue Hearing on Motion to Dismiss with Notice to Provide Evidence.

Presented in honor in the year of our Lord and in His name the 6th day of February, 2024.



Paul-Kenneth Cromar

¹ Case 2:17-cv-01223 Dkt. 119

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of February, 2024, I personally placed in the United States Mail to the individuals named below a true and correct copy of **DEFENDANT'S MOTION TO CONTINUE HEARING ON MOTION TO DISMISS WITH NOTICE TO PROVIDE EVIDENCE.**

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